

REMARKS

Reconsideration is respectfully requested. Claims 1-15 were present in the application. Claims 1-4, 8, 14 and 15 are amended. Claims 5-7 are withdrawn. Claims 10-13 are canceled herein.

Claim 13 is rejected under 35 U.S.C. §101. Since claim 13 is canceled, it is believed this rejection no longer applies.

Claim 8 is objected to as having insufficient antecedent basis for "the dedicated storage areas of the user". Claim 8 as amended is believed to address the Examiner's objection.

Claim 11 is canceled herein, so the objection thereto is requested to be withdrawn.

Claims 1-4 and 12-15 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. 6,832,230 (Zilliacus et al). Applicant respectfully traverses.

Applicant has amended claim 1 herein to clarify distinctive features of the applicant's invention relative to Zilliacus. Claim 1 includes a limitation that the storage server is shared by a plurality of users of portable data terminals. As admitted by the Examiner at page 8, last line to page 9, line 2 of the Office Action, Zilliacus fails to teach a storage unit having dedicated storage areas shared by a plurality of users. Therefore, applicant respectfully submits that claim 1 is allowable over Zilliacus et al. Claims 2-4, 14 and 15 depend on

claim 1 and are therefore also allowable. These claims are also amended to conform to the amendments to claim 1.

Claims 8-11 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zilliacus in view of U.S. 6,308,061 (Criss et al.)

Applicant respectfully traverses.

Claims 10 and 11 have been canceled, so their rejection no longer applies.

Regarding claims 8 and 9, the host server (Fig. 1:30) and storage unit (Fig. 3b,67) in Criss are taken by the Examiner as equivalent to the "storage server" and "storage unit", respectively, of Applicant's claimed invention.

However, Criss relates to a wireless communication system in which software upgrades are provided wirelessly to mobile devices upon detecting that software currently in the mobile devices is outdated. The storage unit in Criss is a memory to store therein latest version of software for each of the mobile terminals (column 9, lines 53-55 of Criss). This means that the storage unit in Criss is shared by a plurality of mobile terminals but does not have a plurality of "dedicated storage areas, each uniquely allocated to an individual user of one of said plurality of portable data terminals". Instead, Criss's storage unit merely stores latest version of software corresponding to each of different types of mobile terminal. This leads to the fact that

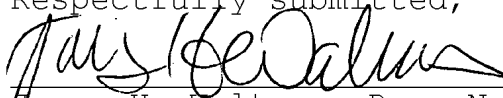
even different users having the same type of mobile terminals necessarily have to have the same software in the storage unit.

Moreover, even Criss in combination with Zilliacus fails to teach the feature of Applicant's claim 8, "means for receiving software, which is purchase-requested by one of the users of said plurality of portable data terminals, from a software sales site on the network for storing the software into one of the dedicated storage areas uniquely allocated to said one of the users". That is, the combined references fail to teach or suggest that software purchased at a software sales site from a user is sent directly from the sales site to the storage unit to be stored in his own storage area uniquely allocated to him or her.

Therefore, it is respectfully believed that the claim rejection of claims 8 and 9 (claims 10 and 11 having been canceled) under 35 U.S.C. §103 has also been overcome.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,



James H. Walters, Reg. No. 35,731

Customer number 802
patenttm.us
P.O. Box 82788
Portland, Oregon 97282-0788 US
(503) 224-0115

Appl. No. 10/070,106
Amendment dated February 20, 2007
Reply to Office action of November 24, 2006

DOCKET: Y-201

Certification of Electronic Transmission

I hereby certify that this correspondence is being facsimile transmitted
to the Patent and Trademark Office on this February 20, 2007.

A handwritten signature in black ink, appearing to read "Paul H. Oatis", is written over a horizontal line.